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**State Government Operations &  
Accountability Committee**

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**HB 1133**

**Brief Description:** Reorganizing public disclosure law.

**Sponsors:** Representatives Nixon, Haigh and Shabro.

**Brief Summary of Bill**

- Reorganizes the public records disclosure laws into a new chapter in the Revised Code of Washington that contains laws pertaining to open government.

**Hearing Date:** 2/1/05

**Staff:** Marsha Reilly (786-7135).

**Background:**

In 1972, voters approved Initiative 276. The initiative called for disclosure of campaign finances, lobbyists activities, financial affairs of elective officers and candidates, and access to public records.

At the time the initiative was passed, there were 10 exemptions from public records disclosure. In a 1978 decision, *Hearst v. Hoppe*, the state's Supreme Court observed that the scheme set in statute by the disclosure statutes establishes a positive duty for a public agency to disclose public records *unless* they fall within the specific exemptions.

The public records disclosure statutes are contained in between the statutes for campaign finance reporting and campaign finance contribution limits, causing some confusion over who is responsible for enforcement.

**Summary of Bill:**

The public records provisions in chapter 42.17 are recodified, amended, and reorganized as new sections in chapter 42.30, cited as the Open Government Act. Exemptions from disclosure are reorganized into separate sections and, where possible, grouped by discrete subjects, as follows:

- Personal information;
- Law enforcement information;
- Employment information;
- Real estate;

- Financial, commercial, and proprietary information;
- Education information;
- Public utilities and transportation information;
- Health care information;
- Agricultural and livestock information;
- Insurance and financial institutions information;
- Fish and wildlife information; and
- Security information.

Statutes referencing chapter 42.17 are changed to reference chapter 42.30. No exemptions are modified, deleted, or added.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.